

BETHLEHEM CITY COUNCIL MEETING  
10 East Church Street – Town Hall  
Bethlehem, Pennsylvania  
Tuesday, October 3, 2017 – 7:00 PM

INVOCATION

Pastor James Muske, Saint Matthew's Evangelical Lutheran Church, offered the invocation followed by the pledge to the flag.

PLEDGE TO THE FLAG

1. ROLL CALL

President Reynolds called the meeting to order. Present were Bryan G. Callahan, Michael G. Colón, Eric R. Evans, Shawn M. Martell, Olga Negrón, Adam R. Waldron and J. William Reynolds, 7.

*Moment of Silence*

President Reynolds asked for a moment of silence for Alicia Karner, Director of Community and Economic Development who just lost her father and asked everyone to keep her and her family in their prayers.

2. APPROVAL OF MINUTES

The Minutes of September 5, 2017 and September 19, 2017 were approved.

3. PUBLIC COMMENT (on any subject not being voted on this evening - 5 minute time limit)

*Bethlehem Emergency Shelter/Homelessness*

Edward Yenolevich, 3001 Hurley Court, reported he is the chairman of the governing body of Christ Church, United Church of Christ located on Market Street. He is at this meeting to inform of Christ Church's intent to partner with Bethlehem Emergency Sheltering as part of our mission outreach to provide a single site overnight shelter for Bethlehem's homeless population during the winter months. Mr. Yenolevich read a short proclamation of intent that they have engaged in with Bethlehem Emergency Shelter. "Christ Church, United Church of Christ in partnership with Bethlehem Emergency Sheltering, (BES) will hold a single site sheltering location serving the needs of Bethlehem's homeless population from December 1, 2017 to March 31, 2018 each winter season."

Bob Rapp Jr., 3479 Reservoir Road, Hellertown, stated he is at this meeting to address Council as a Member of the Board of Directors of the Bethlehem Emergency Shelter. He remarked BES has been around for the last nine years serving our street neighbors, a majority of who grew up here or lived here in the Valley. Mr. Rapp explained their awesome volunteers have served by keeping men and women safe, warm and fed in the coldest months of the year in many Church

venues. The new model will perform the same basic functions as before although it will offer more stability, more security and options for individuals working their way out of homelessness. It will also give everyone in our community an opportunity to serve without having to consider a Church affiliation. Mr. Rapp stated BES made this decision to change the model for two reasons. One reason was the increased struggle in finding Churches with suitable facilities that were willing and able to do the work. The second reason is the Board believes it would be more beneficial to our clients as we can more readily bring supportive services to a single site location. Such services will include but not limit BES to helping clients obtain IDs, linkages to healthcare, help with affordable housing, assistance with substance abuse and reconnecting folks with their families, to name a few. Mr. Rapp pointed out these added services would help our street neighbors work on the issues that led them to homelessness thus aiding in their recovery. Many things have changed in Bethlehem since it was founded by the Moravians, but he mentioned what has not changed are the founding principles that we are here to serve one another and we will do our best if we do that together, we will learn to love one another through that service and we will share that which we are blessed with, for everybody matters. Mr. Rapp read a passage from Matthew 25:35-40, and expressed the principles that this City was founded upon continue to be a blessing to those who live, who work and who play in this community. Mr. Rapp expressed his appreciation for the opportunity to share their vision.

President Reynolds thanked Mr. Rapp and Mr. Yenolevich and commended them for their service to addressing homelessness. He is aware that they have been working with the City to try to find a suitable location. He appreciates them coming to the Council meeting tonight to speak, and encourages Council Members who do not know them to hear about their mission and work that they are doing for our community. President Reynolds noted it is quite inspiring and he hopes that they find a suitable home within the City to help solve this issue.

#### *Armory Project*

Christine Roysdon, 421 Second Avenue, explained she is at this meeting to address Communication 6 B, the street vacation of portions of Filbert Street and a portion of Second Avenue. This is part of a project to build multi-family housing on the block facing Second Avenue on the east and Prospect Avenue on the north in the block that contains Bethlehem's historic Armory. Ms. Roysdon would first like to note that neighbors residing near the Armory, of which she is one, welcome the addition of attractive new housing to the area and believe that our new residents will find the neighborhood enjoyable. However, current residents hold a number of concerns about the development plans. The project plan calls for a four to five story massive structure that will occupy the entire Armory block. Ms. Roysdon added that the project seeks the acquisition of parts of neighboring streets to accommodate parking but a variance will still be necessary even after that to achieve their requisite number of spaces for projected residents. Ms. Roysdon stated that residents really feel that the height and footprint of the complex needs to be reduced. The building will be more consonant and less overwhelming for the neighborhood if it can be reduced both in footprint and in height. With a less crowded development our new residents might even be able to enjoy a bit of greenspace nearby and their cars can be parked without spilling over into already crowded nearby blocks. Ms. Roysdon explained our goal as a community should to sustain a high quality of life for neighbors old and new and we will look forward to continuing this conversation in upcoming Council Meetings.

President Reynolds highlighted the fact that when we had received this communication on Friday Mr. Waldron had sent a memorandum to the Administration asking about a timeline for the approval process because this is only a communication today. The approval process for this project will go to the Planning Commission, the Zoning Hearing Board before it comes to us. President Reynolds believes that Mr. Vidoni has given us a copy of the response from the Administration that lays out that particular approval process. Certainly, we are able to share that with anybody. He reiterated that Mr. Waldron had sent that memo out as soon as we had gotten that communication and we have copies of that and will make that available to anyone who would like a copy of that as well.

Daiyana Rodriguez, 315 Rauch Street, stated she is also at this meeting because of the Communication that has to do with Filbert Street and the Armory. She will give the point of view of the neighbors of Rauch Street because we are also concerned with the height of the building. Right now the last plan that we saw is calling for four story new construction in contrast to what was first promised to us which was much higher than the existing 1968 building. Now what we have is more in line with the top of the highest windows on the original 1960 Armory building. From the point of view of Rauch Street that would take it above Rauch Street. We are asking that the building stays to three stories and not four which would eliminate 16 apartments and would also eliminate the need for a parking variance which would be more according to the City of Bethlehem. It would also help tremendously with the traffic. In our street we have children playing, we have the Drum Shop, so children are constantly dropped off there. We do not have any sidewalk so traffic for us right now is not an issue because it is an empty street but it will be an issue with a new building. We do appreciate that it went from 23 to 14 parking spaces; that shows they want to work with us, however there is still a problem and we will have to live with that. Ms. Rodriguez added they are very concerned with the potential damage that the construction will have to our homes because our homes are more than a hundred years old. They are not sure how they will react to having this construction on Filbert Street; this is very close to our homes, the foundation, and the structure of these homes. We do not have any assurance that if anything was going to happen to our homes who will take care of this. So we are asking for a sort of written agreement either from Peron or the Redevelopment Authority to assure us that if there is any damage because of the construction and with the vehicles that is going to happen that they will take care of this. We have nothing against this project; we welcome the new neighbors to our community. Ms. Rodriguez informed they are just trying to get to this now because we are the neighbors living there that will have to put up with a lot of construction.

Judith Ross, 317 Rauch Street, stated she is also a neighbor on Rauch Street. She remarked that she shares a double house with Daiyana Rodriguez, and on the side of her house is a street called Filbert Street. She noted they met with Mr. John Callahan recently, and she does not understand because there are two Filbert Streets. There is a Filbert Street that is an actual street that ends at Rauch and then there is a fake street below that has not been a street in 50 years. She pointed out it is an alley leading on the property; these are two different kinds of streets. Ms. Ross does not know where this building is going to be placed. If the building goes over to this other Filbert Street it will cut the view from her house in half. She just wanted to understand which Filbert Street is on the plan. She wonders if she should bring this up at another meeting.

President Reynolds mentioned as he said before to Ms. Roysdon, this is just a Communication although she can speak tonight but we can get you a list of all of the meetings she can attend.

Ms. Ross is having trouble with the map because there are two Filbert Streets and she does not know where the plan is and thought she should say something now.

#### *Gift Ban Ordinance*

Barbara Diamond, 425 Center Street, noted her remarks to Council this evening will be about the Gift Ordinance that was passed on the second vote on September 5<sup>th</sup>. On page 18 of the August 15<sup>th</sup> minutes, that was the first vote and Controller George Yasso made some remarks about the Gift Ordinance that evening. He described the hotline to his office for anonymous calls and he said then "If it is something that has to do with a City employee he would refer that to the Mayor as the Mayor is in charge of all City employees. If it had to do with an outside vendor, or something he thought was a criminal action, he would pursue someone with the District Attorney's office. However, as Mr. Schierer said it is not just he and Mayor Donchez, it is all future Mayors and Controllers that this will apply to so that interpreted level, that power that is given to the Mayor and Controller he thinks is something that you need to take seriously. Going forward this will be well past Mr. Yasso and Mayor Donchez." So Ms. Diamond took that to mean that Mr. Yasso was recommending amending the Ordinance to reduce the discretionary power invested in the Controller and Mayor regarding investigating violations. Yet, the Ordinance was not amended to address this in any way that is apparent from the final Ordinance which she received from Mr. Vidoni just this past week. The only change that was made Section 117.99 - Investigation, Enforcement and Penalty, was to tack on the same sentence that constitutes provision (g) to provision (b) in that section, exactly the same thing. Ms. Diamond stated that (g) says: The Controller may also refer any matter for further investigation by appropriate authorities when he deems it in the public interest. What was tacked onto (b), the last sentence says: The Controller may also refer any matter for further investigation by appropriate authorities. This is exactly the same as what was already in the Ordinance except that it omits "when he deems it in the public interest." Ms. Diamond fails to see how repeating what was already in the Ordinance materially affects this Ordinance in any way. She also fails to see how it addresses the concerns that Mr. Yasso expressed. Ms. Diamond would like to hear from Council how this change addresses his concerns, and why it was necessary to simply repeat what was already in the Ordinance. Is there some significance to the omission of "when he deems it in the public interest" that made it necessary to amend section (b) of the Ordinance with this abbreviated statement? The night you passed this on second vote when we complained that you were voting on the Ordinance without providing written amendments for the public to review she believes that you told us, Mr. Reynolds, that this is not a forum where we can get our questions answered and that had we emailed you in advance you would have been happy to respond with the information. So she will take you up on that and hope to hear from you to answer my question or maybe Mr. Evans since he was the person offering the amendments that evening. So she will email you tomorrow with these specific questions. Ms. Diamond mentioned as she said before experts in municipal ethics, Robert Wechsler for example, warn against weak ethics legislation, window dressing as he calls it. Lax enforcement of ethics violations is a problem. Internal investigation and enforcement is not very credible with the public and your enforcement falls very short on accountability and transparency. For

example in the Callahan Ordinance you passed, information about any findings of violations are subject to “disclosure, redaction or non-disclosure in accordance with the Pennsylvania Right to Know Law.” Ms. Diamond explained that means the onus is on the public to ferret out information that other Cities put online while protecting the confidentiality of their investigations. She would also like to know your understanding of the gift exceptions provisions (a) and (c). Is it acceptable to accept a gift of a ticket that has a market value way more than the face value? We know that premium sports and concert tickets often far exceed the face value. The exception in (c) seems to indicate that you can accept gifts from family, business acquaintances and friends who are not seeking official action or business but there is no timeframe for this. So as she said she will email you tomorrow and hope to hear from you. This Ordinance like the Training Ordinance you passed in May is long on appearance but short on effectiveness. As Robert Wechsler said, “Window dressing is worse than no ethics legislation because it gives the public a false sense of confidence that safeguards are in place.”

#### *Climate Change/CO2 Emissions*

Greg Zebrowski, 23 Dewberry Avenue, advised he wanted to address a topic that at times seems too broad to deal with. He wants to commend the Mayor and the President of Council for addressing this issue and that is climate change and CO2 (Carbon Dioxide) emissions. He comes this evening because this is something he has become aware of even more so since he has family that lived in East Los Angeles and the increasing truck traffic and issues with CO2 are driving a hot political debate out there. It is so much so that in the month of October, Tesla Motors will be introducing a semi-electric vehicle, and Daimler Motors are also entering in this market. So the future is good in terms of lowering CO2 because as one Council Member said once before, it is hard to change people’s habits, they like to use their cars. We are building garages in Bethlehem and he understands the need for those but we can have an effect on what kinds of cars are going into those garages and what kinds are frequenting the roads in the Lehigh Valley. Mr. Zebrowski pointed out one of the disturbing points that sticks with him is the 2016 report by the American Lung Association. They noted that Northampton County can also have an impact of lowering CO2 because there has been a tick in the amount of CO2 in the air. This has been largely due to truck and auto emissions, something that we thought we had under control but it seems to be going back in the other direction. Mr. Zebrowski mentioned the congestion in the Lehigh Valley now is getting alarming with truck traffic. There are some things we can do and he is glad the City and the Mayor are taking the initiative in that direction by signing onto the Climate Change Agreement. He commends the Mayor for doing that. There are some practical things we can do as a City, as a Council, and as a citizenry and that is simply providing with and expenditure of tax dollars well spent to provide electric emission stations. He continued to say there was a survey done by the U. S. Conference of Mayors and their center for Climate and Energy Solutions and of 100 American Cities that they surveyed two thirds are procuring green fleet vehicles for City and public transportation. He added that two thirds of these Cities are requiring energy efficiency in all government buildings, although he thinks that Bethlehem is doing that. We can also look at the requirements that are required for builders and developers. Mr. Zebrowski continued to say that 63% have installed public charging stations for electric vehicles and 23% of those 100 Cities say they are considering installing charging stations. We do not have to get into high expenditures to address this issue; there are simple things that they offer in their solutions book. He noted Main Street is one of our favorite streets that is frequented by many people sitting

along the sidewalks. They even go so far as to give suggestions such as in areas where people traffic, medium to lower growth trees would be much better in absorbing CO2 than the taller trees that we have. He remarked it might be easier for Bethlehem to service their Christmas lights if we had more moderate sized trees on Main Street. That is a simple solution where you have a high degree of pedestrian traffic. They suggest where you have high degrees of auto or truck traffic to plant taller trees because of the swirling action of the taller trees to help dissipate the CO2. So those are two practical suggestions besides electric charging vehicles. Mr. Zebrowski stressed the world is recognizing that this is a serious issue and cities and countries all across this planet are moving forward. He is pleased that Bethlehem is recognizing the seriousness of the issue and we need to do something about it because our public health and safety is not only a policy decision, but it is a moral decision. He pointed out that Pope Francis as you know has been very outspoken on this issue and he has said when you contemplate these issues, the legacy you want to leave with your decision making should incorporate the future of life and also you should look upon it as a moral decision.

President Reynolds informed later in this meeting during the President of Council's report he will be giving an update on our Climate Action Plan and an upcoming meeting we have to discuss what the next steps will be.

#### *Fire Hydrant*

Stephen Antalics, 737 Ridge Street, stated at the last Council Meeting he brought up the issue of the efficiency of the fire hydrant in front of his property. After the meeting he was approached by the Fire Marshall and with confidence he assured him that he had nothing to worry about. So he was seeking confirmation of this statement. He did not dis-believe him but he wanted verification. He went to City Hall and asked the Water Department when the last time the hydrant was checked, and what the quality was. Mr. Antalics thinks a day or two later he received a phone call from someone in the Water Department who said that hydrant was checked this past July and there is no problem. If they saw there was a problem, they would have referred it to the Water Department. He remarked it is very assuring that our Fire Department is acting in a responsible way. Then it brought to mind the two situations in Fountain Hill where there were two failures. This prompted some questions because nothing has been done there yet to his knowledge. Mr. Antalics found out at one time the Fire Department in Fountain Hill was a volunteer department, not professional like we have in Bethlehem, but they were inspecting the hydrants. He stated this is unofficial, but from a reliable source he was told that they were told to cease and desist because they can only access the fire hydrant if there is a fire, which is reasonable. Given that thought and what he said earlier he thought would the Bethlehem Fire Department go to Fountain Hill to check their hydrants? To him that would be a violation of something because he would expect them to look at Bethlehem territory, not Fountain Hill. Mr. Antalics noted that raises a second question of if the Fire Department cannot go into Fountain Hill, and the firemen in Fountain Hill cannot check their hydrants, and we can say since they were not checking the hydrants there were two serious incidents, who is responsible for checking the fire hydrants in Fountain Hill?

*Police Department*

Bruce Kovacs, 703 Yeates Street, mentioned he has an ongoing issue with the Police Department telling lies and he will tell the Commissioner to his face that he is a liar. Mr. Kovacs stated he has served subpoenas to the Mayor and subpoenas to the Chief of Police. He expressed his son supposedly shot himself on his birthday, March 1, 2017, and he has asked for seven months for all of his stuff back but no one wants to give him the belongs or an itemized list which you are supposed to by law. Mr. Kovacs noted there are two ways you can only withhold that evidence, and that is if it is used in a crime or an ongoing investigation. He remarked he has provided proper documents after seven months, and guess what; we are going to open up a full blown investigation so Mr. Kovacs cannot get his weapons back. He will read something (not audible) from the Chief of Police. He said not only does he believe a cop wrote it, he said the Chief of Police (not audible). He received copies of repeated messages from the Mayor's Office, 55 to be exact, all of them he recorded because they let it go to recording, they do not answer. He emailed "prior communication, written and oral, a copy of the letter that by your son was given to you a while back". It took six times to call to get a copy of it. They took a copy and the original. Mr. Kovacs stated there was a note to his son's girlfriend which was addressed Mom, Dad, Grandpa, this was under his pillow for us. He wants this back. "You then requested clothing and other items from us, that request was granted". We called the coroner and he said to call the Lieutenant to pick it up. We called the Lieutenant and he said he never signed for anything, so we called the coroner back and 20 minutes later the Lieutenant was at our door with the evidence bags. So tell me who was lying, not the coroner, it was the Lieutenant. Mr. Kovacs stated this is the part that gets to me, because when he sees him he will eat this note. "The firearm utilized in this suicide has been logged in the evidence room property room. Considering the firearm used by your son, you have repeatedly told me it belonged to your son", but he says the firearm can only be released to your son, no one else. This is sent from the Chief of Police to a grieving parent, that only his dead son can get that gun. Mr. Kovacs stated that gun belongs to him; he does not need to transfer the serial numbers. He stated that is his gun and he wants it back, with the spent shell and the two notes. At the District Attorney's office today they left the phone off the hook and he listened to them talk for 20 minutes after the fact. Then the girls next door, "the girlfriends had to move out of the area after the families threatening behavior towards her". Mr. Kovacs stated she never moved, she went to Musikfest every single day. He has the Chief of Police letter which is 99% all lies; the only thing true on there is his name. Mr. Kovacs noted he has 35 people waiting to come forward to testify. He remarked they put down that on March 1, 2017 Dylan Richard Kovacs took his own life using a shotgun as he isolated himself in the attic of the family home. Mr. Kovacs stated he was not in the house; he was in the garage, the attic of the garage that is a lie. Mr. Kovacs stated he has no reason to lie. The only ones that have a reason to lie are the ones who have to worry about their jobs. When his son was carried down he was told he was dead. 45 minutes after they told us he was dead they said you might want to get to the hospital; your son might be alive. Mr. Kovacs queried who is covering up what. Then when he called the coroner, he explained about the black gun, but how did he know it was black. When the cops heard the bang they wrote on here that no one was in the site of Dylan, but there were 12 cops right underneath the ladder pulling it down right above him. Mr. Kovacs stated someone will be held responsible. He does want his stuff back.

4. PUBLIC COMMENT (on Ordinances and Resolutions to be voted on this evening - 5 Minute Time Limit)

A member of the audience queried if they could speak about a handicapped spot.

President Reynolds mentioned that would be during the first Courtesy of the Floor but he will still let him speak from the First Courtesy of the Floor, that is a 5 minute time limit. He pointed out that Council are not the ones who make those decisions about handicapped spots.

The gentleman remarked that he was told to come here to this City Hall meeting at 7:00 pm.

President Reynolds noted he is able to share the issue. He believes this would be an issue with the Parking Authority.

The gentleman noted they are the ones who sent him to the meeting.

President Reynolds stated you certainly have an opportunity to speak to us. The Parking Authority is not a City agency but we do have a relationship with the Parking Authority. You are welcome to share the information.

He asked who would determine about a handicapped spot.

President Reynolds informed it would be the Parking Authority that makes those decisions, not City Council, but if you would like to explain it at any time the Administration or City Council contact can be made with the Parking Authority.

*Parking Authority*

Bruce Sheely, 807 Dellwood Street, mentioned that President Reynolds commented earlier that you have no authority over the Parking.

President Reynolds informed the Mayor proposes members for the Parking Authority Board, and City Council approves them, however the day to day operations and enforcement of the Parking Authority Ordinances is not something that Council does.

Mr. Sheely asked who has the authority.

President Reynolds stated the Parking Authority does.

Mr. Sheely asked who mans the Parking Authority.

President Reynolds informed they have a five member Board and an Executive Director.

Mr. Sheely asked when they meet.

Mayor Donchez believes it is the fourth Thursday of the month, but he would have to check.

Mr. Sheely asked if it was here.

President Reynolds informed it is at the Parking Authority offices.

Stephen Antalics, 737 Ridge Street, stated he has nothing to speak about the agenda tonight but needs a few seconds to come up with an issue.

President Reynolds stressed as Mr. Antalics is familiar with, the first public comment is for a subject on any topic, and the second subject is specifically for Ordinances and Resolutions to be voted on this evening. This is the time somebody would be speaking on an Ordinance or Resolution to voting on this evening.

Mr. Antalics reported he is here on jest. There were two citizens who had the right to speak at this podium not on the agenda, and he is asking for the same privilege.

President Reynolds informed them that neither one of them had spoken at the First Courtesy of the Floor, but Mr. Antalics had your opportunity to speak. He pointed out if I would allow you to speak, I would have to allow everyone else that already had one opportunity to speak a second time and we have moved past that.

5. OLD BUSINESS

A. Members of Council

*Parking Authority*

Mr. Callahan reported that he is the liaison for the Parking Authority and if the gentleman wants to wait until the end of the meeting he will be more than happy to listen to him.

B. Tabled Items

C. Unfinished Business

6. COMMUNICATIONS

A. *Council President – Proposed Ordinance – Establishing Open Data Program*

The Acting Clerk read a memorandum from Council President J. William Reynolds dated September 28, 2017 to which is attached a proposed Ordinance to establish an open data program and open data online portal. The Ordinance defines policies and practices, governance of the open data program, establishing an online portal, terms of use, and required annual reporting.

President Reynolds stated the Ordinance can be placed on the October 17 agenda.

B. *Redevelopment Authority and Peron Armory LP – Street Vacations – Portion of Filbert Street And Portion of Second Avenue*

The Acting Clerk read a communication dated September 25, 2017 from Attorney Seth R. Tipton to which is attached a petition from Attorney Michael Riskin representing the Redevelopment Authority and Attorney Seth R. Tipton representing Peron Development requesting the vacation of Filbert Street between Rauch Street and Second Avenue, and a portion of Second Avenue. Peron Development proposes to erect a residential multi-family building and the adaptive reuse of the Armory. The vacated street will be used for parking for the project.

*Motion – Schedule Public Hearing*

President Reynolds stated he will accept a motion to schedule a Public Hearing on Wednesday, November 8, 2017 at 7:00 pm in Town Hall.

Mr. Evans and Mr. Colón moved to schedule the Public Hearing.

Voting AYE: Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Callahan, Mr. Colón, and Mr. Reynolds, 6. Mr. Waldron was absent from this vote, 1. The Motion passed.

President Reynolds stated the Public Hearing will be held on Wednesday, November 8, 2017 at 7:00 pm in Town Hall. He will refer this to the Planning Commission and the necessary utility companies for comment.

C. *Housing and Community Development Planner – FY 2018 CDBG and HOME Programs*

The Acting Clerk read a memorandum dated September 29, 2017 from Allyson Lehr, Housing and Community Development Planner attached to which are the FY 2018 CDBG and HOME Program requests received by the City. An internal committee reviewed all applications, and presented funding recommendations to the Mayor for approval. A 5% reduction to the CDBG and HOME awards is anticipated. The anticipated amounts are \$1,206,101 for CDBG and \$319,272 for a HOME award.

*Motion – Schedule Public Hearing*

President Reynolds stated he will accept a motion to schedule a Public Hearing on Tuesday, October 17, 2017 at 7:00 pm in Town Hall.

Mr. Evans and Mr. Callahan moved to schedule the Public Hearing.

Voting AYE: Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, and Mr. Reynolds, 7. The Motion passed.

President Reynolds stated the Public Hearing will be held on Tuesday, October 17, 2017 at 7:00 pm in Town Hall.

D. *Director of Planning and Zoning – 2018 2022 Capital Improvement Program*

The Acting Clerk read a memorandum dated September 26, 2017 from Darlene Heller, Director of Planning and Zoning to which is attached the draft Capital Improvement Program for the years 2018 through 2022. The Planning Commission voted unanimously to recommend approval of the Capital Plan. It is requested to schedule the Plan for City Council review in an upcoming meeting.

President Reynolds stated a Committee of the Whole has been scheduled for Wednesday, November 8, 2017 at 6:00 pm in Town Hall, prior to the City Council Meeting to review the Capital Plan.

E. *Director of Public Works – Recommendation of Award – Construction Master Services, LLC*

The Acting Clerk read a memorandum dated September 28, 2017 from Michael Alkhal, Director of Public Works recommending a contract with Construction Master Services for the reconstruction of Lehigh Way. The term of the contract is 30 days from the notice to proceed and the fee for the contract is \$99,507.80.

President Reynolds stated Resolution 10 B is on the agenda.

F. *Council Vice President Adam Waldron – Memorandum to Community and Economic Development Department – Requesting information on public input opportunities for 2<sup>nd</sup> Avenue Armory Redevelopment*

President Reynolds remarked that 6 F has been added and is a memorandum from Council Vice President Adam Waldron sent to the Community and Economic Development Department requesting information on the approval process in connection with the proposed redevelopment of the Second Avenue Armory on the west side. We just received a copy today so if anyone had questions today we certainly have that schedule of the planning or approval process for the Armory as delivered from the Administration in case you would like a copy of that.

7. REPORTS

A. *President of Council*

*LERTA*

President Reynolds knows that Ms. Karner is not in attendance but he wanted to thank the Community and Economic Development Department and the Administration for all their efforts in attending the Bethlehem Area School District and Northampton County Council meetings regarding LERTA. It was last week or the week before when Northampton County had approved the LERTA boundary extension. He and Ms. Karner attended the meetings the public hearing, and the first and only reading of the Ordinance. He wanted to say a thank you to the Administration for their work as well as the Community and Economic Development Department. President Reynolds also wanted comment on the communications concerning the

proposed Open Data Ordinance that will be on the Council agenda on October 17, 2017 for First Reading. He wanted to thank the Administration and particularly Solicitor William Leeson and his department for reviewing that with Council Solicitor Spirk. He also wanted to thank Mr. Martell. President Reynolds pointed out that the Open Data and part of the Open Bethlehem initiative that he proposed in January has the opportunity to turn this City into a different type of City as far as information that is shared and what that information can mean to non-profit agencies, health networks and the many social service entities. President Reynolds looks forward to having that conversation at the next meeting on October 17, 2017.

*Northside 2027 Committee Meeting/October 18, 2017 - 4:00 pm - Moravian College*

President Reynolds mentioned with that LERTA being passed by the City, the School District and Northampton County, the first Northside 2027 Committee Meeting will be held on October 18, 2017 at 4:00 pm in Room 121 in Moravian College's new and recently dedicated Health Science building on Main Street. The Northside 2027 initiative is a partnership between the City of Bethlehem, the Bethlehem Area School District, and Moravian College for the neighborhoods that surround William Penn Elementary School and Thomas Jefferson Elementary School. He noted that LERTA was one piece of it, but we are looking at a lot of different ways to invest, including a programming piece. President Reynolds reported in the past couple of days he has heard a few great things about the Bethlehem Food Co-Op. There are things they are thinking about doing in those neighborhoods in conjunction with the Northside 2027, a few non-profit things, and he thinks it really has the opportunity to be a great thing for those neighborhoods. President Reynolds thanked the Administration for coming up with the new LERTA district on the north side. It has been a long time coming and he knows that Ms. Karner has done a lot of work on it. He encourages City Council to attend that first meeting of the Northside 2027 Committee, which will be an overview of what is next in the coming months, and 2018 as far as investment and revitalization in those neighborhoods.

*Committee of the Whole Meeting for the City's Climate Action Plan/December 13, 2017- 6:00 pm*

President Reynolds announced there will be a Committee of the Whole Meeting on December 13, 2017 at 6:00 pm in Town Hall for the City's Climate Action Plan. When he had proposed a Climate Action Plan for the City in January of this year, it was to build on some of the work that the City was currently doing as well as the work that the City had done in the past several years. He thinks there is a lot of exciting news that we will share at that meeting, including not only the current efforts and all the things the Administration is doing, but also what is coming forward. President Reynolds mentioned we talked about the Mayor signing on to several climate protection agreements and those agreements require the City to do certain things. We will take a look at what those requirements are, and look at some of the things we have been planned that include energy reductions, tracking them across the City and ideas about how individuals and businesses are able to participate. We will also talk how we could get our big health networks and institutions of higher learning to come on and some of our aspirational goals in the short term, middle term and the long term. President Reynolds explained there are a lot of exciting things out there and one of the things that has happened is that the Environmental Advisory Council is really taking on a new role. He remarked, if you have a chance, check out a few of the EAC meetings, because they are doing a lot of the content work. He noted that he has been working with them to set up a structure by which people can

be involved in 2018 in a public way to contribute ideas. The goal for the first part of 2018 is to do research; we will be moving in a lot of different directions. He continued on to say the City is establishing some baseline energy usage so we can come up with a goal for our own carbon footprint and a program that we can take City wide. He highlighted that a big piece of this is education and how to get out there to talk about these different things. President Reynolds noted the Committee of the Whole meeting on December 13, 2017 is at 6:00 pm in Town Hall. It will be informational, but it will lay the ground work for not only what we have done, but also what we will do in 2018, and the exciting ways we will bring these different things together.

B. *Mayor*

*Finance Committee Meeting/A+ Bond Rating*

Mayor Donchez pointed out that last week we had a Finance Committee Meeting with a very favorable 2016 audit and the following day we received positive news that our bond rating S & P was increased to A+ with a stable outlook. He thinks that is the third increase within 24 months, and it is just another example of the Administration working well with President Reynolds and City Council. Mayor Donchez reported that both of us have had to make some very difficult decisions over the last three or four years and he thinks that it is recognized by Wall Street. He added, the fact that we are at A+ with a stable outlook is a credit to everyone here. Mayor Donchez thanked City Council for their cooperation over the past few years.

President Reynolds thanked the Administration and the Department Heads in behalf of City Council. He knows that everyone makes a lot of difficult decisions on a day to day basis that can never see the light of day, such as how do we come in under budget, how do we find ways to save money and not sacrifice that quality of City Bethlehem residents have come to expect. President Reynolds noted that Mr. Brong and Department Heads have said that many of those tough decisions are made, and no one knows about them, and maybe we get a little pushback here and there, and maybe people are not in their comfort zone for a little bit doing more with less. At the same time when we have meetings, like we did last week at the Finance Committee Meeting regarding the 2016 audit, we see the progress we have made that you guys have led the way on, and we dove into those numbers to see what it is. He knows that Mr. Brong likes to say it is just a snapshot, or just one piece of our financial picture. It was certainly not the most exciting meeting and sitting through all the different analytical reviews and questions that Mr. Evans, Mr. Callahan, Mr. Martell and Mr. Colón had about where do we save money, but it was positive news. President Reynolds remarked one thing we talked about at that Finance Committee Meeting was how do we talk more about what are the benefits to making the tough decisions. What he has seen during his ten years on Council is that people get very fired up about an issue, as they should, and we kind of see the longer picture and why it is necessary so we can find a way to pay all of Public Safety, our Police, our Fire, our EMS and a majority of our City budget. It is meetings like that when you see you are inching ahead in progress. It is not all negative and sometimes it is may be just the way the world is in 2017. We are not as attracted to positive news as we are to negative news. President Reynolds reiterated his thanks to the Administration, all the employees and all the Department Heads for all of the difficult decisions and hard work.

C. *Finance Committee Meeting*

Chairman Callahan stated the Finance Committee Meeting met on Tuesday, September 26, 2017 at 6:00 pm in Town Hall. The committee voted to recommend that City Council adopt Ordinances for the following: Amending the General Fund Budget, Amending the Non-Utility Capital Improvement Budget and the committee also received a presentation by the auditors regarding the 2016 budget. As the Chair of Finance he wanted to thank the Mayor, Administration, Department Heads, and Council and as was said earlier there were many tough decisions that had to be made. It also was not one particular thing; it was a lot of little things over a period of three and a half years that has gotten us here. The taxpayers of Bethlehem should know that things are getting much better, and it is because of the choices we have had to make.

8. ORDINANCES FOR FINAL READING

None.

9. NEW ORDINANCES

A. *Bill No. 32 - 2017 - Amending 2017 General Fund Budget - Health Bureau Grants - Adjustments*

The Acting Clerk read Bill No. 32 - 2017 - Amending General Fund Budget - Health Bureau Grants -Adjustments, sponsored by Mr. Waldron and Mr. Colón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2017 GENERAL FUND BUDGET.

Voting AYE: Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, and Mr. Reynolds, 7. Bill No. 32 - 2017 was passed on First Reading.

B. *Bill No. 33 - 2017 - Amending 2017 Non-Utility Capital Improvement Budget -FEMA Grant*

The Acting Clerk read Bill No. 33 - 2017 - Amending 2017 Non-Utility Capital Improvement Budget - FEMA Grant, sponsored by Mr. Waldron and Mr. Colón and titled:

AN ORDINANCE OF THE CITY OF BETHLEHEM,  
COUNTIES OF LEHIGH AND NORTHAMPTON,  
COMMONWEALTH OF PENNSYLVANIA, AMENDING  
THE 2017 CAPITAL BUDGET FOR NON-UTILITIES.

Voting AYE: Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, and Mr. Reynolds, 7. Bill No. 33 - 2017 was passed on First Reading.

10. RESOLUTIONS

A. *Authorizing 2017 Edward Byrne Memorial Justice Assistance Grant (JAG)*

Mr. Waldron and Mr. Colón sponsored Resolution No. 2017-191 that authorized the Police Department's application for the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$21,052.00. The grant will be used by the Police Department to continue improvements in computer hardware and software.

Voting AYE: Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, and Mr. Reynolds, 7. The Resolution passed.

B. *Authorizing Contract – Construction Master Services*

Mr. Waldron and Mr. Colón sponsored Resolution No. 2017-192 that authorized to execute and agreement with Construction Master Services for the Lehigh Way reconstruction.

Voting AYE: Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, and Mr. Reynolds, 7. The Resolution passed.

*Motion – Considering Resolutions 10 C through 10 E as a group – Certificates of Appropriateness*

Mr. Callahan and Mr. Evans moved to consider Resolutions 10 C through 10 E as a group.

Voting AYE: Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, and Mr. Reynolds, 7. The Motion passed.

C. *Certificate of Appropriateness – 321 Adams Street*

Mr. Waldron and Mr. Evans sponsored Resolution No. 2017-193 that granted a Certificate of Appropriateness to rehab the existing building into an apartment building at 321 Adams Street.

D. *Certificate of Appropriateness – 321 West Fourth Street*

Mr. Waldron and Mr. Evans sponsored Resolution No. 2017-194 that granted a Certificate of Appropriateness to move the entry door to install an ADA ramp, decrease the size of the garage door and install new spouting at 321 West Fourth Street.

E. *Certificate of Appropriateness – 215 Broadway*

Mr. Waldron and Mr. Evans sponsored Resolution 2017-195 that granted a Certificate of Appropriateness to allow total demolition of the building because of foundation conditions at 215 Broadway (building next to Broadway Social).

Voting AYE on Resolutions 10 C through 10 E: Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, and Mr. Reynolds, 7. The Resolutions passed.

11. NEW BUSINESS

*Rescheduling First City Council Meeting in November to Wednesday, November 8, 2017*

Mr. Evans and Mr. Colón moved to reschedule the first City Council Meeting in November to Wednesday, November 8, 2017 at 7:00 PM in Town Hall, since Tuesday, November 7, 2017 is Election Day.

Voting AYE: Mr. Evans, Mr. Martell, Ms. Negrón, Mr. Waldron, Mr. Callahan, Mr. Colón, and Mr. Reynolds, 7. The Motion passed.

President Reynolds announced that our first Council Meeting in November will be moved because of Election Day to Wednesday, November 8, 2017 at 7:00 pm in Town Hall.

*Parks and Recreation Committee Meeting*

Chairman Evans announced that next Tuesday, October 10, 2017 at 7:00 pm in Town Hall we will have a Parks and Recreation Committee Meeting. The singular topic will be the Municipal Golf Course.

*Parking Authority Meetings*

Mr. Colón informed just as a point of information because it has come up about the Parking Authority Meetings, he just checked and those meetings are on the fourth Wednesday of every month at 4:30 pm at the Parking Authority Office on North Street.

12. ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

ATTEST:

Acting City Clerk